

REMARKS

Claims 22-42 are pending. Claim 35 is rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. Claims 22-42 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent No. 6,840,470 to Bankes et al. Claims 22, 24, 29, 30, 34 and 35 are amended. Claims 23 and 33 are cancelled.

Claim 22 recites "a measuring surface comprising a predetermined portion of said at least one refining surface including at least a portion of at least a pair of said plurality of bars." Bankes et al. does not teach or disclose "a measuring surface comprising a predetermined portion of said at least one refining surface including at least a portion of at least a pair of said plurality of bars" Bankes et al. instead discloses a measuring surface including a portion of only one bar. This is evident, *inter alia*, from column 8, lines 48-50 of Bankes et al., where a sensor assembly 14 is disclosed comprising a sensor body 30 which has a sensor head 32 (measuring surface) having a profile which matches the profile of the portion of the refiner bar into which it is inserted, and from all the Figures in the drawings of Bankes et al., where a portion of only one bar is included in the measuring surface (sensor head 32). Thus, even the pending claim 22 prior to the present amendment, is novel over Bankes et al. Therefore, amended claim 22 is not anticipated by Bankes et al. Claims 24-29 depend from claim 22 either directly or indirectly and are not anticipated by Bankes et al. for at least the same reasons as claim 22.

Additionally, amended claim 22, in part, recites "measuring said stress forces in a first direction by means of a first force sensor and measuring said stress forces in a second direction by means of a second force sensor, . . . and determining said magnitude and direction of said stress forces

by measuring said stress forces in said first and second directions." Bankes et al. does not teach, disclose or suggest "measuring said stress forces in a first direction by means of a first force sensor and measuring said stress forces in a second direction by means of a second force sensor, . . . and determining said magnitude and direction of said stress forces by measuring said stress forces in said first and second directions." Bankes et al. discusses that the stresses on a bar can be divided into load components acting in different directions by reference to US 5,747,707 (see column 2, lines 59-65, of Bankes et al.). Additionally, in column 9, line 67-column 10, line 2, it is disclosed that the sensor head 32 is subjected to normal and shear forces. However, Bankes et al. does not disclose measuring stress forces in two different directions and determining the magnitude and direction of the stress forces by measuring the stress forces in these two different directions. Further, a measuring surface including a portion of only one refiner bar, and not two or more bars, as disclosed in Bankes et al., cannot achieve what is defined in pending claims 23 and now included in amended claim 22. In order to provide a satisfactory measurement in several directions, the measuring surface must include portions of two or more refiner bars. Therefore, claim 22 is not obvious over or anticipated by Bankes et al. for these additional reasons. Claims 24-29 depend from claim 22 either directly or indirectly and are not anticipated by Bankes et al. for at least the same reasons as claim 22.

Claim 30 recites "a measuring surface comprising a predetermined portion of said at least one refining surface including at least a portion of at least a pair of said plurality of bars." Bankes et al. does not teach or disclose "a measuring surface comprising a predetermined portion of said at least one refining surface including at least a portion of at

least a pair of said plurality of bars." Bankes et al. instead discloses a measuring surface including a portion of only one bar. This is evident, *inter alia*, from column 8, lines 48-50 of Bankes et al., where a sensor assembly 14 is disclosed comprising a sensor body 30 which has a sensor head 32 (measuring surface) having a profile which matches the profile of the portion of the refiner bar into which it is inserted, and from all the Figures in the drawings of Bankes et al., where a portion of only one bar is included in the measuring surface (sensor head 32). Thus, even the pending claim 30 prior to the present amendment, is novel over Bankes et al. Therefore, amended claim 30 is not anticipated by Bankes et al. Claims 31, 32 and 34-42 depend from claim 30 either directly or indirectly and are not anticipated by Bankes et al. for at least the same reasons as claim 30.

Additionally, amended claim 30, in part, recites - "first set of force sensors comprises a first force sensor for measuring said stress forces in a first direction and a second force sensor for measuring said stress forces in a second direction, . . . whereby said magnitude and direction of said stress forces in said plane of said stress measuring member are determined from the readings of each of said first and second force sensors." Bankes et al. does not teach, disclose or suggest "first set of force sensors comprises a first force sensor for measuring said stress forces in a first direction and a second force sensor for measuring said stress forces in a second direction, . . . whereby said magnitude and direction of said stress forces in said plane of said stress measuring member are determined from the readings of each of said first and second force sensors." Bankes et al. discusses that the stresses on a bar can be divided into load components acting in different directions by reference to US 5,747,707 (see column 2, lines 59-65, of Bankes et al.). Additionally, in column 9, line

67-column 10, line 2, it is disclosed that the sensor head 32 is subjected to normal and shear forces. However, Bankes et al. does not disclose measuring stress forces in two different directions and determining the magnitude and direction of the stress forces by measuring the stress forces in these two different directions. Further, a measuring surface including a portion of only one refiner bar, and not two or more bars, as disclosed in Bankes et al., cannot achieve what is defined in pending claim 33 and now included in amended claim 30. In order to provide a satisfactory measurement in several directions, the measuring surface must include portions of two or more refiner bars. Therefore, claim 30 is not obvious over or anticipated by Bankes et al. for these additional reasons. Claims 31, 32 and 34-42 depend from claim 30 either directly or indirectly and are not anticipated by Bankes et al. for at least the same reasons as claim 30.

Applicant urges that amended claim 35 is not indefinite under 35 U.S.C. § 112, second paragraph.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance of claims 22, 2432 and 34-42 is earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge applicant's Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

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